

REMARKS

Claims 1-17 are pending in this application; claims 1 and 9 are independent claims. In the current Office Action, claims 1-17 stand rejected on the following grounds: claims 1-5, 8-10, 13, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0064758 to Mizuta et al. ("Mizuta") in view of US Patent No. 6,359,984 to Kim ("Kim 1"); claims 6 and 11 are rejected under 35 U.S.C. 103(a) as unpatentable over Mizuta in view of Kim 1, as applied to claims 3 and 9, and further in view of US Patent No. 6,993,366 to Kim ("Kim 2"); claims 7 and 12 are rejected under 35 U.S.C. 103(a) as unpatentable over Mizuta in view of Kim 1, as applied to claims 6 and 11, and further in view of US Patent No. 6,819,939 to Masamura ("Masamura"); and claim 15 is rejected under 35 U.S.C. 103(a) as unpatentable over Mizuta in view of Kim 1, as applied to claim 9, and further in view of US 2002/0198017 to Babasaki et al. ("Babasaki").

In the current Office Action, the Examiner continues to incorrectly read the claims in a manner that is inconsistent with the ordinary meaning of the claim language. The Examiner asserts that he is allowed to give the claims the broadest reasonable interpretation, even if that "reasonable" interpretation is inconsistent with the ordinary meaning of the claim language. Based on that approach, the Examiner continues to, for example, argue that one of ordinary skill in the art reading the claims would understand "one end of the housing" to be the same as "one side of the housing" and "the other end of the housing" to be the same as "the other side of the housing." Office Action at 2. Of course, Applicant continues to believe that the Examiner's reading of the claims is flawed and improper. Notwithstanding the foregoing, Applicant has amended independent claims 1 and 9 to make it impossible for the "broadest

reasonable interpretation" of the claims to be satisfied by the opposite sides the housing in Kim 1, as the Examiner has repeatedly argued. In view of the amendments to the independent claims, and as explained below, the claims as amended are distinguishable over the cited prior art. Hence, all the pending claims, are allowable over the cited prior art.

In the amendment of claim 1, Applicant has made it clear that "the first speaker [is] provided at one end of a face of said first housing" and "a second speaker provided at the other end of the [same] face of said first housing." Applicant has almost made clear in claims 1 and 9, as amended, that first speaker and the second speaker are exposed outside in both of the closed state and the opened state. Claim 1 now recite that "said first speaker and said second speaker are exposed outside in both of the closed state and the opened state" and claim 9 recites "wherein said first speaker and said second speaker are exposed outside in both of said opened state and said closed state." Accordingly, claims 1 and 9 now describe a first speaker and second speaker that reside on opposite ends of the same face of the same housing and first and second speakers that are exposed in both the opened and closed states. None of the cited prior art alone or in combination teaches or suggests those claimed elements.

In rejecting the claims, the Examiner mainly relies on Kim 1. As previously explained the Examiner asserts that the opposite sides of the housing 102 are the same as the opposite ends described in the pending claims. The Examiner also asserts that the opposite sides in Kim 1 are also the "same face of the first housing." In other words, the Examiner has equated opposites sides with opposite ends and equated opposite sides as being one face. Applicant's disagree with this strained reading of the claims. However, to clarify the invention, as explained, the claims have been amended to make clear that the first and second speakers reside on opposite

ends of the same face of the same housing and that the first and second speakers are exposed in both the opened and closed states.

As explained in the prior response, Kim 1 discloses a mobile telephone having a flip 102 that moves independently of the body 100. The body 100 includes an LCD 104. As shown in Kim 1, the flip 102 moves independently of the body and display. The flip includes two speakers 118 and 124. The first speaker is disposed on an outside wall (face) of the flip 102 and is accessible when the mobile terminal is closed. The second speaker 124 is on an inside wall (face) of the flip 102 and is not accessible while the phone is in the closed position. Thus, Kim does not show first and second speakers on the same face that are exposed in the opened and closed states. No other cited prior art teaches or suggests those claimed elements. Accordingly, claims 1 and 9 are allowable over the cited prior art. For the same reasons, all claims dependent on claims 1 and 9 are allowable over the cited prior art.

For the foregoing reasons, and for the reasons articulated in Applicant's prior response, which is incorporated herein, Applicant respectfully submits claims 1-17 are now allowable over the cited prior art. Payment of the appropriate fees, if any, and/or granting of the appropriate extension is requested, and the Commissioner is directed to debit our deposit account, Account No. 50-0675, Order No. 848075/0060, for the amounts required.

Respectfully submitted,



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